

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

EDUARDO LUCERO,

Plaintiff,

vs.

No. 1:14-cv-00393-KG/KK

ALBERT OLIVAS, DAVID PENA,  
DWANE PENA, SILVERIO PENA,  
MICHAEL GILBERT, EDDIE ARAGON, JR.,  
GILBERT MARTINEZ, MATTHEW TEPHENSON,  
JOHN DOE, JANE DOE, JOHN P. SWEENEY and  
YOLANDA BERUMEN-DEINES each in their individual capacities,  
and the NEW MEXICO CHILDREN, YOUTH, AND FAMILIES DEPARTMENT,

Defendants.

Consolidated with:

RAMIREZ v. OLIVAS, et al.

No. 1:14-cv-00394 WJ/CG

Consolidated with:

GONZALES v. OLIVAS, et al.

No. 1:14-cv-00395 MCA/KK

Consolidated with:

WOODS v. OLIVAS, et al.

No. 1:14-cv-00396 KG/KBM

**ORDER CONSOLIDATING FOUR COMMON CASES**

THIS MATTER came before the Court on the parties' *Joint Motion to Consolidate Cases for Purposes of Deciding Dispositive Motions*, filed November 26, 2014. (Doc. 33). On December 10, 2014, the Court held a hearing to consider the motion. Present at the hearing were Stephen O'Brien on behalf of Plaintiffs; Sean Olivas & Richard Shane on behalf of Defendants.

During the December 10, 2014, hearing, the Court heard arguments from all parties and took the motion under advisement. For the reasons stated on the record in open court and for the

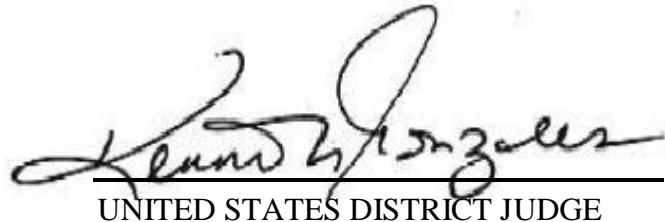
following reasons, the Court grants in part and denies in part the *Joint Motion to Consolidate for Purposes of Deciding Dispositive Motions*.

The Court finds as follows:

1. The four cases involved have common questions of fact and law.
2. Consolidation of the four cases would be convenient for the parties, counsel and the Court by avoiding quadruplicate discovery and motion practice.
3. No undue delays would result from consolidation.
4. Consolidation would serve this Court's interest in judicial economy, as well as avoiding unnecessary costs and delay associated with seeking discovery and conducting trial of identical and inter-related actions.
5. Consolidation would avoid inconsistent rulings on common questions of fact and law.

IT IS THEREFORE ORDERED that the four cases listed in the caption of this order will be consolidated in their entirety, taking on the earliest filed case number and assigned judges:

CIV 14-0393 KG/KK.



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UNITED STATES DISTRICT JUDGE